



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2087

Introduced 2/6/2025, by Sen. Erica Harriss

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the State's Attorney and Peace Officer Privacy Act. Provides that government agencies shall not publicly post or display publicly available content that includes the personal information of a State's Attorney, Assistant State's Attorney, or peace officer if the government agency has received a written request in accordance with the Act that it refrain from disclosing the personal information of a State's Attorney, Assistant State's Attorney, or peace officer. Provides that if a government agency fails to comply with a written request to refrain from disclosing personal information, the State's Attorney, Assistant State's Attorney, or peace officer may bring an action seeking injunctive or declaratory relief in any court of competent jurisdiction. Provides that it is unlawful for any person to knowingly publicly post on the Internet the personal information of a State's Attorney, Assistant State's Attorney, or peace officer or of the immediate family of a State's Attorney, Assistant State's Attorney, or peace officer if the person knows or reasonably should know that publicly posting the personal information poses an imminent and serious threat to the health and safety of the State's Attorney, Assistant State's Attorney, or peace officer or the immediate family of the State's Attorney, Assistant State's Attorney, or peace officer, and the violation is a proximate cause of bodily injury or death of the State's Attorney, Assistant State's Attorney, or peace officer or the immediate family of the State's Attorney, Assistant State's Attorney, or peace officer. Provides that a person who violates this provision is guilty of a Class 3 felony. Provides exemptions. Defines terms. Effective immediately.

LRB104 03945 RLC 13969 b

1 AN ACT concerning State's Attorneys, Assistant State's  
2 Attorneys, peace officers, and their immediate families.

3 **Be it enacted by the People of the State of Illinois,**  
4 **represented in the General Assembly:**

5 Section 1. Short title. This Act may be cited as the  
6 State's Attorney and Peace Officer Privacy Act.

7 Section 5. Purpose. The purpose of this Act is to improve  
8 the safety and security of Illinois State's Attorneys,  
9 Assistant State's Attorneys, and peace officers to ensure they  
10 are able to administer their duties fairly without fear of  
11 personal reprisal from individuals affected by the decisions  
12 they make in the course of carrying out their public function.

13 This Act is not intended to restrain a State's Attorney,  
14 Assistant State's Attorney, or peace officer from  
15 independently making public his or her own personal  
16 information. Additionally, no government agency, person,  
17 business, or association has any obligation under this Act to  
18 protect the privacy of the personal information of a State's  
19 Attorney, Assistant State's Attorney, or peace officer until  
20 the State's Attorney, Assistant State's Attorney, or peace  
21 officer makes a written request that his or her personal  
22 information not be publicly posted.

23 Nothing in this Act shall be construed to impair free

1 access to the official actions of a State's Attorney,  
2 Assistant State's Attorney, or peace officer that are public  
3 information and in the course of carrying out his or her public  
4 functions.

5 Section 10. Definitions. In this Act:

6 "Government agency" includes all agencies, authorities,  
7 boards, commissions, departments, institutions, offices, and  
8 any other bodies politic and corporate of the State created by  
9 the Constitution or statute, whether in the executive,  
10 judicial, or legislative branch; all units and corporate  
11 outgrowths created by executive order of the Governor or any  
12 constitutional officer, by the Supreme Court, or by resolution  
13 of the General Assembly; or agencies, authorities, boards,  
14 commissions, departments, institutions, offices, and any other  
15 bodies politic and corporate of a unit of local government, or  
16 school district.

17 "Home address" includes a permanent residence of a State's  
18 Attorney, Assistant State's Attorney, or peace officer and any  
19 secondary residences affirmatively identified by the State's  
20 Attorney, Assistant State's Attorney, or peace officer, but  
21 does not include a work address of a State's Attorney,  
22 Assistant State's Attorney, or peace officer.

23 "Immediate family" includes a spouse, child, parent, or  
24 any blood relative of the State's Attorney, Assistant State's  
25 Attorney, or peace officer who lives in the same residence.

1 "Peace officer" has the meaning given the term in Section  
2 2-13 of the Criminal Code of 2012.

3 "Personal information" means a home address, home  
4 telephone number, mobile telephone number, pager number,  
5 personal email address, social security number, federal tax  
6 identification number, checking and savings account numbers,  
7 credit card numbers, marital status, and identity of children  
8 under the age of 18.

9 "Publicly available content" means any written, printed,  
10 or electronic document or record that provides information or  
11 that serves as a document or record maintained, controlled, or  
12 in the possession of a government agency that may be obtained  
13 by any person or entity, from the Internet, from the  
14 government agency upon request either free of charge or for a  
15 fee, or in response to a request under the Freedom of  
16 Information Act.

17 "Publicly post" or "publicly display" means to communicate  
18 to another or otherwise make available to the general public.

19 "Written request" means written notice signed by a State's  
20 Attorney, Assistant State's Attorney, or peace officer or a  
21 representative of the employer of the State's Attorney,  
22 Assistant State's Attorney, or peace officer requesting a  
23 government agency, person, business, or association to refrain  
24 from posting or displaying publicly available content that  
25 includes the personal information of a State's Attorney,  
26 Assistant State's Attorney, or peace officer.

1           Section 15. Publicly posting personal information;  
2 government agencies.

3           (a) Government agencies shall not publicly post or display  
4 publicly available content that includes the personal  
5 information of a State's Attorney, Assistant State's Attorney,  
6 or peace officer if the government agency has received a  
7 written request in accordance with Section 20 that it refrain  
8 from disclosing the personal information of a State's  
9 Attorney, Assistant State's Attorney, or peace officer. After  
10 a government agency has received a written request, that  
11 agency shall remove the personal information of a State's  
12 Attorney, Assistant State's Attorney, or peace officer from  
13 publicly available content within 5 business days. After the  
14 government agency has removed the personal information of a  
15 State's Attorney, Assistant State's Attorney, or peace officer  
16 from publicly available content, the agency shall not publicly  
17 post or display the information and the personal information  
18 of a State's Attorney, Assistant State's Attorney, or peace  
19 officer shall be exempt from the Freedom of Information Act  
20 unless the government agency has received consent from the  
21 State's Attorney, Assistant State's Attorney, or peace officer  
22 to make the personal information available to the public.

23           (b) Redress. If a government agency fails to comply with a  
24 written request to refrain from disclosing personal  
25 information, the State's Attorney, Assistant State's Attorney,

1 or peace officer may bring an action seeking injunctive or  
2 declaratory relief in any court of competent jurisdiction.

3 Section 20. Publicly posting personal information;  
4 persons, businesses, and associations; Internet.

5 (a) Prohibited Conduct.

6 (1) All persons, businesses, and associations  
7 shall refrain from publicly posting or displaying on  
8 the Internet publicly available content that includes  
9 the personal information of a State's Attorney,  
10 Assistant State's Attorney, or peace officer if the  
11 State's Attorney, Assistant State's Attorney, or peace  
12 officer has made a written request to the person,  
13 business, or association that it refrain from  
14 disclosing the personal information.

15 (2) No person, business, or association shall  
16 solicit, sell, or trade on the Internet the personal  
17 information of a State's Attorney, Assistant State's  
18 Attorney, or peace officer with the intent to pose an  
19 imminent and serious threat to the health and safety  
20 of the State's Attorney, Assistant State's Attorney,  
21 or peace officer or the immediate family of the  
22 State's Attorney, Assistant State's Attorney, or peace  
23 officer.

24 (3) This subsection includes, but is not limited  
25 to, Internet phone directories, Internet search

1 engines, Internet data aggregators, and Internet  
2 service providers.

3 (b) Required Conduct.

4 (1) After a person, business, or association has  
5 received a written request from a State's Attorney,  
6 Assistant State's Attorney, or peace officer to  
7 protect the privacy of the personal information of the  
8 State's Attorney, Assistant State's Attorney, or peace  
9 officer, that person, business, or association shall  
10 have 72 hours to remove the personal information from  
11 the Internet.

12 (2) After a person, business, or association has  
13 received a written request from a State's Attorney,  
14 Assistant State's Attorney, or peace officer, that  
15 person, business, or association shall ensure that the  
16 personal information of the State's Attorney,  
17 Assistant State's Attorney, or peace officer is not  
18 made available on any website or subsidiary website  
19 controlled by that person, business, or association.

20 (3) After receiving a written request from the  
21 State's Attorney, Assistant State's Attorney, or peace  
22 officer, no person, business, or association shall  
23 transfer the personal information of the State's  
24 Attorney, Assistant State's Attorney, or peace officer  
25 to any other person, business, or association through  
26 any medium.

1 (c) Redress. A State's Attorney, Assistant State's  
2 Attorney, or peace officer whose personal information is made  
3 public as a result of a violation of this Act may bring an  
4 action seeking injunctive or declaratory relief in any court  
5 of competent jurisdiction. If the court grants injunctive or  
6 declaratory relief, the person, business, or association  
7 responsible for the violation shall be required to pay the  
8 State's Attorney, Assistant State's Attorney, or peace officer  
9 costs and reasonable attorney's fees.

10 Section 25. Written requests.

11 (a) Requirement that a State's Attorney, Assistant State's  
12 Attorney, or peace officer make a written request. No  
13 government agency, person, business, or association shall be  
14 found to have violated any provision of this Act if the State's  
15 Attorney, Assistant State's Attorney, or peace officer fails  
16 to submit a written request calling for the protection of the  
17 person's personal information.

18 (b) Written request procedure. A written request shall be  
19 valid if:

20 (1) the State's Attorney, Assistant State's Attorney,  
21 or peace officer sends a written request directly to a  
22 government agency, person, business, or association; or

23 (2) if the Attorney General has a policy and procedure  
24 for a State's Attorney, Assistant State's Attorney, or  
25 peace officer to file the written request with the

1 Attorney General to notify government agencies, the  
2 State's Attorney, Assistant State's Attorney, or peace  
3 officer may send the written request to the Attorney  
4 General. In each quarter of a calendar year, the Attorney  
5 General shall provide a list of all State's Attorneys,  
6 Assistant State's Attorneys, and peace officers who have  
7 submitted a written request to the Attorney General, to  
8 the appropriate officer with ultimate supervisory  
9 authority for a government agency. The officer shall  
10 promptly provide a copy of the list to any and all  
11 government agencies under his or her supervision. Receipt  
12 of the written request list compiled by the Attorney  
13 General by a government agency shall constitute a written  
14 request to that Agency for the purposes of this Act.

15 (c) A representative from the State's Attorney, Assistant  
16 State's Attorney, or peace officer employer may submit a  
17 written request on the State's Attorney, Assistant State's  
18 Attorney, or peace officer behalf if the State's Attorney,  
19 Assistant State's Attorney, or peace officer gives written  
20 consent to the representative and if the representative agrees  
21 to furnish a copy of that consent when a written request is  
22 made. The representative shall submit the written request as  
23 provided in subsection (b) of this Section.

24 (d) Information to be included in the written request. A  
25 written request of the State's Attorney, Assistant State's  
26 Attorney, or peace officer shall specify what personal

1 information shall be maintained private.

2 If a State's Attorney, Assistant State's Attorney, or  
3 peace officer wishes to identify a secondary residence as a  
4 home address as that term is defined in this Act, the  
5 designation shall be made in the written request.

6 A State's Attorney, Assistant State's Attorney, or peace  
7 officer shall disclose the identity of the immediate family of  
8 the State's Attorney, Assistant State's Attorney, or peace  
9 officer and indicate that the personal information of these  
10 family members shall also be excluded to the extent that it  
11 could reasonably be expected to reveal the personal  
12 information of the State's Attorney, Assistant State's  
13 Attorney, or peace officer.

14 (e) Duration of the written request. A written request of  
15 the State's Attorney, Assistant State's Attorney, or peace  
16 officer is valid until the State's Attorney, Assistant State's  
17 Attorney, or peace officer provides the government agency,  
18 person, business, or association with written permission to  
19 release the private information. The written request of a  
20 State's Attorney, Assistant State's Attorney, or peace officer  
21 expires on death.

22 Section 30. Unlawful publication of personal information.  
23 It is unlawful for any person to knowingly publicly post on the  
24 Internet the personal information of a State's Attorney,  
25 Assistant State's Attorney, or peace officer or of the

1 immediate family of a State's Attorney, Assistant State's  
2 Attorney, or peace officer if the person knows or reasonably  
3 should know that publicly posting the personal information  
4 poses an imminent and serious threat to the health and safety  
5 of the State's Attorney, Assistant State's Attorney, or peace  
6 officer or the immediate family of the State's Attorney,  
7 Assistant State's Attorney, or peace officer, and the  
8 violation is a proximate cause of bodily injury or death of the  
9 State's Attorney, Assistant State's Attorney, or peace officer  
10 or the immediate family of the State's Attorney, Assistant  
11 State's Attorney, or peace officer. A person who violates this  
12 Section is guilty of a Class 3 felony.

13 Section 35. Exceptions for employees of government  
14 agencies. If the employee of a government agency has complied  
15 with the conditions set forth in this Act, it is not a  
16 violation of Section 30 if an employee of a government agency  
17 publishes personal information, in good faith, on the website  
18 of the government agency in the ordinary course of carrying  
19 out public functions.

20 Section 40. Construction. This Act and any rules adopted  
21 to implement this Act shall be construed broadly to favor the  
22 protection of the personal information of a State's Attorney,  
23 Assistant State's Attorney, or peace officer or the immediate  
24 family of a State's Attorney, Assistant State's Attorney, or

1 peace officer.

2 Section 97. Severability. The provisions of this Act are  
3 severable under Section 1.31 of the Statute on Statutes.

4 Section 99. Effective date. This Act takes effect upon  
5 becoming law.